

Opposer admits that there is attached to the Counterclaim as Exhibit B a photocopy of a printout from the US Patent and Trademark Office website directed to the “Loving Family” mark which is the subject of Application Serial Number 75/611,072, which printout speaks for itself. Opposer admits that there is attached to the Counterclaim as Exhibit C a photocopy of a printout from the Patent and Trademark Office website directed to the mark of Application Serial Number 75/611,071, which printout speaks for itself.

4. The allegations of Paragraph 33 of the Counterclaim are denied.

5. Opposer denies the allegations of the first two sentences of Paragraph 34 of the Counterclaim. With the respect to the remaining allegations of Paragraph 34 of the Counterclaim, Opposer is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations, and so denies the same, and leaves Applicant to its proof.

6. The allegations of Paragraph 35 of the Counterclaim are denied.

7. The allegations of Paragraph 36 of the Counterclaim are denied.

8. With respect to the allegations of Paragraph 37 of the Counterclaim, Opposer admits that what purports to be a copy of a Declaration of Ali A. Akhtar is attached to the Counterclaim. Except to the extent admitted, the allegations of Paragraph 37 of the Counterclaim are denied.

9. The allegations of Paragraph 38 of the Counterclaim are denied.

10. With respect to the allegations of Paragraph 39 of the Counterclaim, Opposer admits that there is attached as Exhibit 10 to the Akhtar Declaration a copy of what purports to be an article by one Derek Benes identified in such article as a Time Off Staff Writer. The copy speaks for itself. Opposer is without knowledge or information as to the truth or falsity of any “fictional” statements made in any of the articles attached to the Declaration and so denies the

same and leave Applicant to its proof with respect to the admissibility, truthfulness, and relevants of any of the articles and any statements made therein. Except to the extent admitted, the allegations of Paragraph 39 of the Counterclaim are denied.

11. Opposer admits that there is attached as Exhibit E to the Counterclaim an excerpt of marketing material distributed by Opposer. The marketing material speaks for itself. Except to the extent admitted, the allegations of Paragraph 40 of the Counterclaim are denied.

12. The allegations of Paragraph 41 of the Counterclaim are denied.

13. Opposer incorporates and restates its response to the allegations of Paragraphs 30 through 41 of the Counterclaim.

14. The allegations of Paragraph 43 of the Counterclaim are denied.

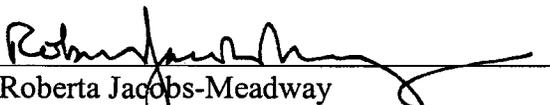
15. The allegations of Paragraph 44 of the Counterclaim are denied.

16. The allegations of Paragraph 45 of the Counterclaim are denied.

WHEREFORE, Opposer respectfully submits that the Counterclaim should be dismissed with prejudice.

Respectfully submitted,

Dated: 4/22/02


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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of **OPPOSER'S RESPONSE TO COUNTERCLAIM FOR CANCELLATION** was served on the attorney of record in this matter on the date indicated below.

Attorney: Eric B. Meyertons
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Date: 04/22/02

By: Conley, Rose & Tayon, P.C.

Via: first class mail